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Attorneys for Defendant  
PROPAK LOGISTICS, LLC

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KYLE ROBERTS, on his own behalf and all  
similarly situated individuals,

Plaintiff,

v.

PROPAK LOGISTICS, LLC, and DOES 1 to 100,

Defendants.

) NO. 2:24-cv-00008-DJC  
) CLASS ACTION  
)

) **STIPULATION TO FOR PLAINTIFF**  
) **TO HAVE LEAVE TO FILE A FIRST**  
) **AMENDED COMPLAINT; ORDER**

1 Plaintiff Kyle Roberts (“Plaintiff”) and Defendant Propak Logistics, LLC (“Defendant”)  
2 (collectively with Plaintiff, the “Parties”), by and through their respective counsel of record, hereby  
3 enter into the stipulation below with reference to the following facts:

4 WHEREAS, on November 28, 2023, Plaintiff Kyle Roberts (“Plaintiff”) filed a Class  
5 Action Complaint against Defendant in Tehama County Superior Court, titled: *KYLE ROBERTS,*  
6 *on his own behalf and all similarly situated individuals, vs. PROPAK LOGISTICS, LLC., and*  
7 *DOES 1 through 100*, Tehama County Superior Court Case No. 23CV008439 (hereinafter, the  
8 “Complaint”). The Complaint asserts the following Class Action Claims: (1) Minimum Wage  
9 Violations, (2) Overtime Violations, (3) Meal Period Violations, (4) Rest Period Violations, (5)  
10 Wage Statement Penalties, (6) Waiting Time Penalties, and (7) Unfair Competition.

11 WHEREAS, on January 2, 2024, Defendant removed this case to federal court under the  
12 Class Action Fairness Act, 28 U.S.C. § 1332(d)(2);

13 WHEREAS, Plaintiff seeks to file a First Amended Complaint to add an eighth cause of  
14 action for PAGA penalties based on the underlying Labor Code violations (attached hereto as  
15 Exhibit A);

16 WHEREAS, the Parties have conferred, and agreed that, subject to Court approval, Plaintiff  
17 may file the First Amended Complaint to add an eighth cause of action under PAGA for civil  
18 penalties based on the same alleged Labor Code violations;

19 WHEREAS, allowing Plaintiff to file a First Amended Complaint will not prejudice any of  
20 the Parties, but will rather serve the interests of justice and preserve judicial resources;

21 THEREFORE, Plaintiff and Defendant, by and through their undersigned counsel of record,  
22 hereby stipulate and agree and respectfully request that the Court enter an order as follows:

23 1. Plaintiff may file the First Amended Complaint attached hereto as **Exhibit A** within  
24 seven (7) days.

25 2. Defendant shall file a responsive pleading to the First Amended Complaint within  
26 thirty (30) days of its filing.

1  
2 Date: March 12, 2024

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3  
4 /s/ Adam Rose  
Attorney for Plaintiff  
5 Kyle Roberts

6 Date: March 15, 2024

LITTLER MENDELSON P.C.

7  
8 /s/ Nathaniel Jenkins  
9 Rebecca M. Aragon  
Nathaniel H. Jenkins  
10 Attorneys for Defendant  
11 PROPAK LOGISTICS, LLC

12 **ORDER**

13 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**  
14

15 Dated: March 15, 2024

16 /s/ Daniel J. Calabretta  
17 THE HONORABLE DANIEL J. CALABRETTA  
18 UNITED STATES DISTRICT JUDGE  
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